

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**800 RIVER ROAD OPERATING COMPANY LLC,
d/b/a WOODCREST HEALTH CARE CENTER**

and

Case 22-CA-097938

**1199 SEIU UNITED HEALTHCARE
WORKERS EAST**

**ORDER GRANTING MOTION TO AMEND COMPLAINT
AND FURTHER NOTICE TO SHOW CAUSE**

On November 26, 2014, the Board issued a Decision, Certification of Representative, and Notice to Show Cause in these proceedings.¹ That Decision provided leave to the General Counsel to amend the complaint on or before December 8, 2014, to conform with the current state of the evidence, including whether the Respondent had agreed to recognize and bargain with the Union after the November 26, 2014, 2014 certification of representative issued.

On February 10, 2015, the General Counsel filed a motion to amend the complaint, under Section 102.17 of the Board's Rules and Regulations. The General Counsel states in his motion that the December 8, 2014 date given for amending the complaint was not able to be met, but that the amendment is necessary now in light of events that occurred after that date. The General Counsel further asserts that granting this motion to amend would not result in prejudice to any party. The complaint attached to the General Counsel's motion has been amended in relevant part to include the allegations that about January 22, 2015, the Union requested that the Respondent recognize and bargain with it as the exclusive collective-bargaining representative of the

¹ 361 NLRB No. 117.

unit employees, and that by letter dated February 2, 2015, the Respondent refused to do so, and continues to refuse to do so. On February 27, 2015, the Respondent filed a response in opposition to the General Counsel's motion, arguing that the motion to amend should be denied because the General Counsel had failed to meet the Board's stated deadline and because the Respondent's actions do not warrant an amendment to the complaint.

Having duly considered the matter,

IT IS ORDERED that the General Counsel's motion to amend the complaint is granted and the complaint is deemed amended as of this date.

IT IS FURTHER ORDERED that the Respondent's answer to the amended complaint is due on or before March 31, 2015.

NOTICE IS GIVEN that cause be shown, in writing, on or before April 7, 2015 (with affidavit of service on the parties to this proceeding), as to why the Board should not grant the General Counsel's motion for summary judgment. Any briefs or statements in support of the motion shall be filed by the same date.

Dated, Washington, D.C., March 17, 2015.

By direction of the Board:

Gary Shinnors

Executive Secretary